

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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MidFirst Bank

In Re:

William F. Hertzke Jr.
Karen Hertzke

Debtors



Order Filed on December 6, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 23-10104 MBK

Hearing Date: 11/22/2023 @ 10:00 a.m.

Judge: Michael B. Kaplan

ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: December 6, 2023



Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtors: William F. Hertzke Jr. and Karen Hertzke

Case No: 23-10104 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, MidFirst Bank, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 10 Pacific Terrace, Hazlet, NJ, 07730, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Lee Martin Perlman, Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of November 16, 2023, Debtors are current on post-petition payments with a suspense balance of \$245.00; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume December 1, 2023, directly to Secured Creditor's servicer (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$188.00 for filing fees, totaling \$538.00, which is to be paid through Debtors' Chapter 13 plan and the motion is hereby resolved.